

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 5, 2006 PLANNING COMMISSION MEETING

P.A.S.: Co. Special Permit #06038
Rokeby Acres Preliminary Plat #06008

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

Note; on June 12, 2006, the Lincoln City Council approved an annexation of land in the area of Highway 77 and West Denton Road that will move the three mile ETJ of the City of Lincoln further out, effectively putting over one half of this application in the City jurisdiction, effective June 27, 2006. At that time, a city plat/cup will be required. City action on the change of zone will also be required.

PROPOSAL: A preliminary plat for 6 acreage residential units and a special permit for dwellings within 1320' of a public lake.

LOCATION: Southeast of the corner of S.W. 40 and Rokeby Rd.

WAIVER REQUESTS:

1. Ornamental street lighting
2. Sidewalks
3. Street trees
4. Landscape screens
5. Stormwater detention

LAND AREA: 30.00 Acres, more or less, 28.27 net

CONCLUSION: This request is based on change of zone 04053 to AGR that is pending with the County Board. That request had a recommendation of denial from staff and Planning Commission due to Comprehensive Plan and location issues. That change of zone and this plat/special permit appear to require both City and County approval after June 26, 2006.

RECOMMENDATION:

Co. Special Permit # 06038 (lake development)	Denial
Preliminary Plat # 06008	Denial
Waivers	
1. Ornamental lighting	Not needed
2. Sidewalks	Not needed
3. Street trees	Not needed

4.	Landscape screens	Not needed
5.	Stormwater detention	Not needed

GENERAL INFORMATION

LEGAL DESCRIPTION: Lot23, Irregular tract in the Northwest Quarter of Section 32, T9N, R6E, in the 6th P.M., Lancaster County, Nebraska.

EXISTING ZONING: AG Agriculture in the Lancaster County Jurisdiction

EXISTING LAND USE: Farm land/pasture

SURROUNDING LAND USE AND ZONING:

North: Agriculture, zoned AG, Yankee Hill Lake across the intersection to the northwest South: Agriculture in large parcels, zoned AG

East: Agriculture in large parcels, zoned AG

West: Agriculture in large parcels, zoned AG

HISTORY Change of Zone 04053 from AG to AGR is on pending at the County Board. A change of zone by the same applicant, to the east of this parcel, was denied in 1999. Changed from AA Rural and Public Use to AG Agriculture in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Plan shows this as Agriculture, across the street from Environmental Resources. This is in the Lincoln growth Tier III, across the street from Tier II. The 2025 Comprehensive Plan states:

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot) and AGR - Agricultural Residential District (minimum of 3 acres per lot) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies (pg F 70)

Acknowledge the "Right to Farm" and preserve areas for agricultural productions throughout the county by designating specific areas in advance for rural residential so as to limit areas of potential conflict between farms and acreages (pg F 70)

Retain the current overall density of 32 dwellings per square mile (20 acre) for all agriculturally zoned land. Provide for an ability to divide two 3 acre lots per "40" acre parcel with conditions and administrative review and right of appeal. This would allow more flexibility for parcel size while retaining the overall density and assist in retaining farmable units of land. (F 70)

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. (F 70)

Development of a performance standard "point system" will allow the location of higher density rural acreage development in either "AG" or "AGR" where the review criteria can be met. This allows equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient "points" can be accumulated to justify the development at the requested location." (F 71)

UTILITIES: No water district. Water information was submitted. Norris Public Power is the electric provider.

TOPOGRAPHY: Rolling, draining to the east and a tributary to Cardwell Creek.

TRAFFIC ANALYSIS: This area is served by W. Rokeby Rd. and S. W. 40th Street. Both are gravel county roads and are not programed or shown for improvement during the planning period. Existing pavement is two miles north or east.

PUBLIC SERVICE: This is in the S.W. Rural Fire District and School District 152. The Fire District provides Advanced Life Support. The closest station is located at S. Folsom and W. Burnham, about six (6) miles distant. Other stations are located in Denton to the west and Martell to the south, all about the same distance away. This is served by the Lancaster County Sheriffs Department. This is in the Norris Public Power District.

REGIONAL ISSUES: Expansion of the acreage areas in rural ag settings. Development around lakes. Spot zoning.

ENVIRONMENTAL CONCERNS: There are no identified historic or ecological resources on this site. A small cemetery is located across the road to the north (Wesley chapel). The soil rating on this land is 5.5 on a scale of 1 to 10 where 1 to 4 are prime. This is not prime ag land. There is no FEMA mapped flood plain. No animal confinement was noted in the immediate area. Yankee Hill State Lake property is across the road to the northwest.

AESTHETIC CONSIDERATIONS: na

ALTERNATIVE USES: Continued agricultural use or one residential lot.

ANALYSIS:

1. This request is for a a Special Permit for dwellings within 1320' of a public lake, a special permit for a Community Unit Plan to allow the private street and a Preliminary Plat for 6 acreage residential lots. A private, paved, internal street is proposed.
2. Individual waste disposal and wells are proposed to serve the subdivision. The lots are large enough to provide for septic or lagoon systems. The Health Department indicates adequate water quality and quantity in the area. The water report indicates potable water is available.
3. This request is not in conformance with the Lincoln-Lancaster County Comprehensive Plan map which shows this as Agriculture.
4. The proposed change of zone to AGR would permit up to 9 dwellings. An AGR CUP with bonuses could permit 11 or 12 dwellings
5. Nebraska Game and Parks recommends denial of the special permit. If approved the request locating dwellings no closer then 600' to the property line of a public lake be enforced. This would affect Lot 1.
6. Norris Public Power notes easements are shown on all lots.
7. The County Engineer letter of June 12, 2006, notes several small adjustments and corrections.
8. Waivers are requested for street lights, sidewalks, street trees, screening and stormwater detention. These waivers are no longer required due to code changes.
9. Several revisions and notes need to be made to reflect the Special Permit language. The special permit provisions for dwellings within 1320' of a public lake are as follows;

13.012 Special Permit. Special permitted use: Dwellings within 1,320 feet of the property line of a publicly owned lake property of 30 acres or more may be allowed in the AGR district under the following conditions:

- a) The County Board may amend the conditions of the special permit upon a showing that exceptional and unusual circumstances exist in connection with the specific parcel of land.
- b) All dwellings, occupied buildings and live stock feed lots shall be located a minimum of 600 feet (200 yards) from the property line of the public lake property to protect from noise and gunfire. Adjustment for other factors such as roads, lot size, abutting uses and private agreements should be considered in applying this.
- c) Sewer systems shall be designed so no effluent will reach the lake.

d) Well information shall be provided that shows there is adequate quantity and quality of water on the site and the development will not adversely affect adjacent property wells.

e) Unless already in permanent vegetation, a buffer of native grasses and forbs shall be planted within 200' abutting the public property line. Overall use of native plants and "xeroscaping" is encouraged.

f) Any disturbance of surface soils shall use the "Best Management Practices" to prevent any sediment from moving off site, in accordance with a sediment plan shall be approved by the Lower Platte South based on the Sediment and Erosion Manual.

g) Exterior lighting shall meet the Lincoln Design Standards for Outdoor Recreational Lighting sections on illumination levels beyond the property line (I.B) and Glare control (III) shielded to prevent trespass of light off the property.

h) Vehicular access points shall be designed so as not to conflict with other entrances and to recognize the additional traffic as well as the character of that traffic on the road. Access to paved roads is required if possible.

i) The boundary between the private and public ownership shall be posted as "private property". The signs shall be at least eleven by fourteen inches and shall be spaced no more than 1,320 feet apart and at all property corners and field entrances.

j) The public agencies of the adjacent lake property shall have the opportunity to review the special permit application as well as the Nebraska Game and Parks Commission, Natural Resources District, Corps. of Engineers and Department of Environmental Quality.

k) All chimneys shall be equipped with spark arresters.

l) No antenna or any other structure over 35' in height shall be permitted unless approved by this permit.

m) The applicant shall acknowledge and advise future purchasers of, the full utilization of all legal uses and activities that would normally occur on the public lake property abutting the application. Protective covenants shall be filed on the property containing this information.

n) Density/number of dwelling units permitted in the parcel (a range is suggested of no less than 5 nor more than 10 acres per dwelling unit).

o) The developer shall enter into a written agreement with the county on the conditions of the special permit. (Resolution No. 5428, January 22, 1997)

CONDITIONS FOR Co SPECIAL PERMIT #06038 (lake development):

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the

application will be scheduled on the County Board's agenda: (NOTE: These documents and plans are required by resolution/ordinance or design standards.)

- 1.1 Make the corrections requested by the County Engineer in his letter of June 12, 2006.
 - 1.2 Note that the provisions of the special permit for dwellings withing 1320' of a state lake apply and list the key provisions, including; all chimneys shall have spark arresters, no occupied buildings or livestock feeding shall be with 200' of the park boundary, a 200' vegetative buffer to the Park shall be shown and maintained, all exterior lighting shall meet standards for glare control and the maximum structure height shall not exceed 35'.
 - 1.3 Show a 200 yard setback from the property line of the State Lake and note the remaining building envelope.
 - 1.4 Show the cul-de-sac as a temporary turnaround.
 - 1.5 Show 60' of R-O-W dedicated on West Rokeby Road and S.W. 40th Street.
 - 1.6 Revise note 12 to reflect buildable envelopes (non are shown).
 - 1.7 Allow access to W. Rokeby Road.
 - 1.8 Show Block Numbers.
 - 1.9 Revise the title block to add the Special Permit and remove the Preliminary Plat from the County Clerks. Add a Planning Commission approval certificate.
 - 1.10 Add "West" to Rokeby Road
2. This approval permits 6 single family lots.

General:

3. Before receiving building permits:
 - 3.1 The permittee is to submit a revised site plan and the plan is found to be acceptable.
 - 3.2 The permittee is to submit six prints and a permanent reproducible final site plan as approved by the County Board.

3.3 The construction plans are to comply with the approved plans.

3.4 The final plat(s) is/are approved by the County Board.

3.5 The County Board approves associated requests:

3.5.1 Rokeby Acres Preliminary Plat #06038.
Co Change of Zone # 04053 from AG to AGR

3.6 The County Engineer has approved:

3.6.1 An agreement for street maintenance.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

4.1 Before occupying this special permit for dwellings all development and construction is to comply with the approved plans.

4.2 Before occupying dwellings in this special permit, City/County Health Department is to approve the water and waste water systems.

4.3 All privately-owned improvements are to be permanently maintained by the owner or an appropriately established homeowners association approved by the County Attorney.

4.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

4.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

4.6 The Permittee shall file a certified copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the County Clerk's certification fee at the time of certification and shall pay the recording fee to the Register of Deeds at the time of filing.

CONDITIONS FOR Co. PRELIMINARY PLAT #06038:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the preliminary plat will be scheduled on the County Board agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Make the corrections requested by the County Engineer in his letter of June 12, 2006.
 - 1.2 Note that the provisions of the special permit for dwellings withing 1320' of a state lake apply and list the key provisions, including; all chimneys shall have spark arresters, no occupied buildings or livestock feeding shall be with 200' of the park boundary, a 200' vegetative buffer to the Park shall be shown and maintained, all exterior lighting shall meet standards for glare control and the maximum structure height shall not exceed 35'.
 - 1.3 Show a 200 yard setback from the property line of the State Lake and note the remaining building envelope.
 - 1.4 Show the cul-de-sac as a temporary turnaround.
 - 1.5 Show 60' of R-O-W dedicated on West Rokeby Road and S.W. 40th Street.
 - 1.6 Revise note 12 to reflect buildable envelopes (non are shown).
 - 1.7 Allow access to W. Rokeby Road.
 - 1.8 Show Block Numbers.
 - 1.9 Revise the title block to add the Special permit and remove the Preliminary Plat from the County Clerk. Add a Planning Commission preliminary plat certificate.
 - 1.10 Add "West" to Rokeby Road
2. The County Board and City approves associated requests:

- 2.1 County Special Permit # 06008 for the dwelling next to a recreation area. County Change of zone #04053 from AG to AGR.

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:
 - 3.1 Streets, drainage facilities, temporary turnarounds and barricades, and street name signs have been bonded or completed.
 - 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 3.2.1 To submit to the County Engineer an erosion control plan.
 - 3.2.2 To protect the remaining trees on the site during construction and development.
 - 3.2.3 To submit to lot buyers and home builders a copy of the soil analysis and water report.
 - 3.2.4 To complete the private improvements shown on the preliminary plat.
 - 3.2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.
 - 3.2.6 To relinquish the right of direct vehicular access to West Rokeby Road and to S.W. 40th Street except for S.W. 40th Street.
 - 3.2.7 To comply with the provisions of the Land Subdivision Resolution regarding land preparation.
 - 3.2.8 To maintain the outlots and private improvements on a permanent and continuous basis.

Prepared by:

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planner
June 22, 2006

APPLICANT: Lyle Loth, ESP
601 Old Cheney Rd, Suite 'A'
Lincoln, NE 68512
(402) 421-2500

OWNER: Noel Parrott, Wapiti Enterprises, Inc
5700 Arbor Road
Lincoln, NE 68517
(402) 464-8508

CONTACT: Lyle Loth
402) 421-2500



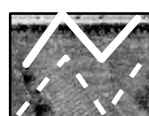
Special Permit #06038 & Preliminary Plat #PP06008 SW 40 & Rokeby Road

2005 aerial

Zoning:

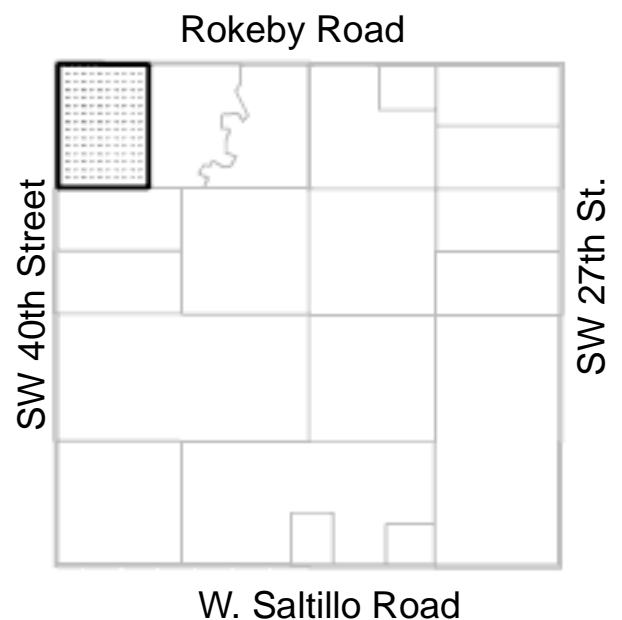
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 32 T09N R06E



Zoning Jurisdiction Lines

City Limit Jurisdiction



GENERAL NOTES

1. This Preliminary Plat contains 30.00 acres, more or less.
2. This Preliminary Plat permits 6 single family lots. Each lot shall contain a maximum of one single family residence and out buildings, all located within the building envelopes as shown and/or noted.
3. The current zoning is AG & the proposed zoning is AGR.
4. The maximum building height shall not exceed 35 feet, as per 'AGR' zoning.
5. The Developer/or Owner reserves the right to build anywhere within the building envelopes shown.
6. The Developer proposes the use of individual water wells for potable water supply.
7. The Developer proposes the use of individual waste water systems. If percolation tests do not permit sub surface fields, lagoons shall be installed. Waste water systems shall be approved by the Lancaster County Health Department.
8. The Developer shall construct and surface the private roadway with 3" of crushed rock and 1" of gravel in accordance with the Lancaster County Standards. The County shall be notified prior to the laying of the gravel. Surfacing radii the intersection at Rokeby Road and SW 39th Street shall have a radius of 50 feet.
9. Only one subdivision ground sign shall be permitted for this development.
10. All curvilinear dimensions are chord lengths.
11. Direct vehicular access to Rokeby Road & SW 40th Street is hereby relinquished.
12. All topographic contours are at NAVD 88 Datum.
14. The following waivers are approved with this Preliminary Plat: Sidewalks, Street trees, Street Lighting, Landscape Screening.
15. 'Junk Cars' shall be prohibited in this development as noted in the protective covenants.
16. Future lot owners be advised that this development is in a rural farm area and that normal and customary farm activities are not a nuisance.

LEGAL DESCRIPTION

Lot 23, Irregular Tract, located in the Northwest Quarter of Section 32, Township 9 North, Range 6 East, of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Beginning at the Northwest Corner of said Section 32 and extending thence S. 89°59'32" E., 982.72 feet; Thence S. 00°00'00" W., 1329.38 feet; Thence S. 89°57'36" W., 982.72 feet; Thence N. 00°00'00" E., 1330.20 feet to the point of beginning, said tract containing an area of 30 acres, more or less.

**Special Permit #06038 &
Preliminary Plat #PP06008
SW 40 & Rokeby Road**

HOLLY DRILLING COMPANY
634 STATE HWY. 15
DORCHESTER, NE 68343
PHONE (402) 946-3871

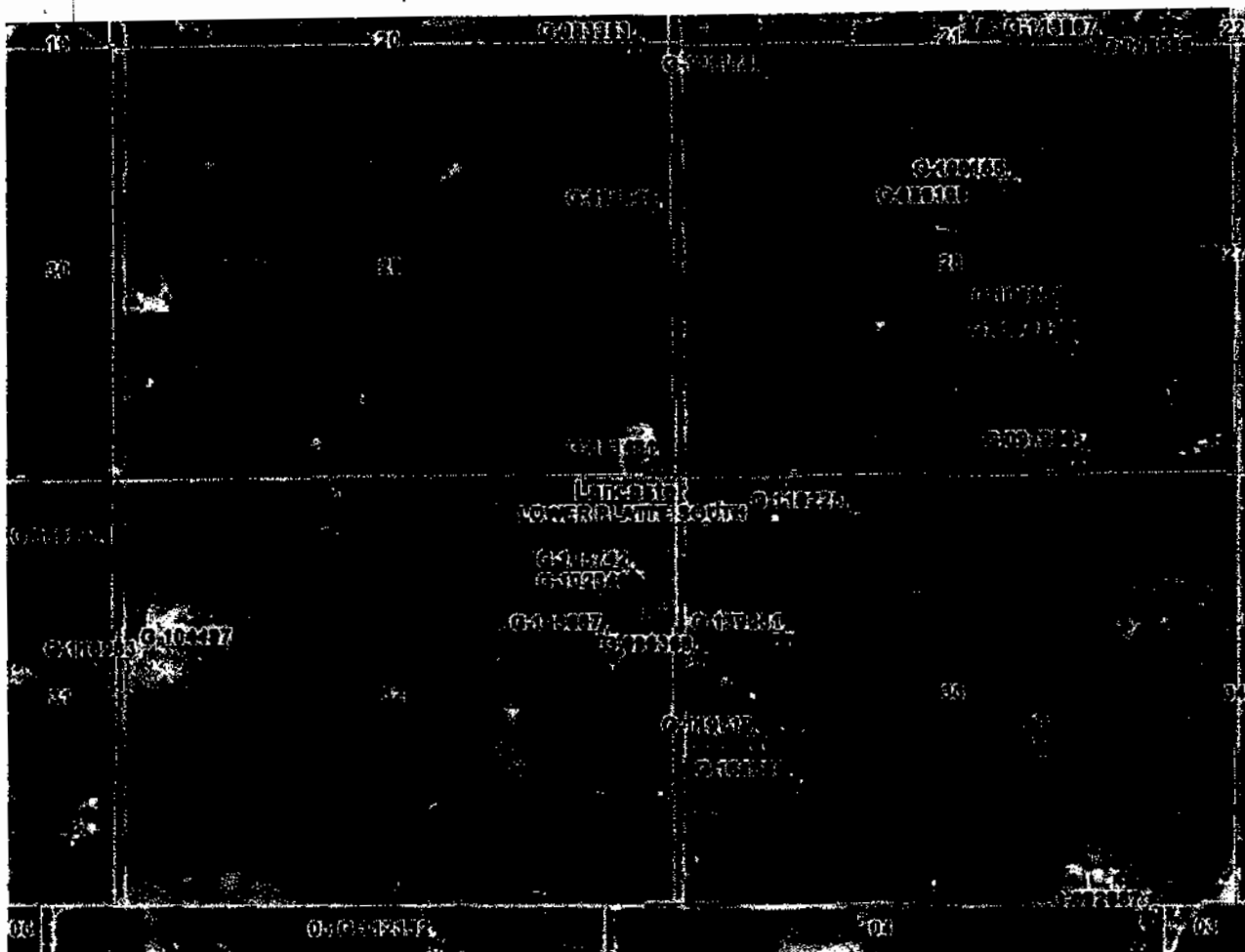
Wapiti, Inc.
10251 S.W. 27th
Lincoln, NE 68523

RE: Groundwater Availability
NW ¼, S32, T9N, R6E

Noel,

In my opinion there is a good supply of potable water underlying the above referenced property. All registered wells around your proposed home-sites are screened in the Dakota sandstone aquifer. It is a productive aquifer with typical yields of 40 – 50 gpm. Average well depths are approximately 200 ft. I have enclosed a map showing the locations of other registered wells in the area and copies of 2 well registrations of near by wells.

Sincerely,
Joe Holly



STATE OF NEBRASKA

DEPARTMENT OF WATER RESOURCES

WATER WELL REGISTRATION

FOR DEPARTMENT USE ONLY

Registration Date 10-20-99 Sequence No. 120724 Registration No. G-102346
 Owner Code No. 54254 Receipt No. 103373 Kanawha State South NRD

1. Well Owner NOEL E. PARROTT Telephone Number (402) 464-8508
 Address 5700 ARAB RD
 City LINCOLN State NE Zip Code 68517 +
2. Drilling Firm HOLLY DRILLING CO. Telephone Number (402) 946-3971
 Address RT. 1 BOX 144A Contractor's License No. 34261
 City DORCHESTER State NE Zip Code 68343 +
3. Permit Number(s) _____
4. Purpose of well (indicate one): ☐ Dewatering (over 90 days) ☒ Domestic ☐ Ground Heat Exchanger
☐ Ground Water Source Heat Pump ☐ Industrial ☐ Injection ☐ Irrigation ☐ Livestock
☐ Monitoring ☐ Observation ☐ Public Water Supply (with spacing (46-635)) ☐ Public Water Supply (without spacing)
☐ Recovery ☐ Aquaculture ☐ Other _____
(indicate use)
5. Replacement and abandoned well information.
 A. Is this well a replacement well? ☐ Yes ☒ No
 B. Registration number of abandoned well: _____
 If not registered, date of construction completion: _____, 19____
 C. Replacement well is _____ feet from abandoned well.
 D. Abandoned well last operated _____, 19____
 E. Original well pump column size: _____ inches.
 F. Completion of original well abandonment on _____, 19____
 G. Location of water use of abandoned well: _____
6. A. Well location: NE 1/4 of the NE 1/4 of Section 32, Township 9 North, Range 6 East/West, LANCASTER County.
 B. The well is 1300 feet from the (North) (North or South) section line and 400 feet from the (East) (East/West) section line.
(circle one) (circle one)
 C. Street address or block, lot and subdivisions, if applicable: _____
 D. Location of water use, if applicable (give legal descriptions): _____
 E. If for irrigation, the land to be irrigated is _____ acres.
 F. Well reference letter(s), if applicable: _____
7. Pump Information.
 Is pump installed at this time: ☒ Yes ☐ No
 If yes, complete items A through F.
 If no, complete items A and D with estimated information for those wells in which pump will be installed.
 A. Actual pumping rate, if applicable: 15 gallons per minute. Measured ☐ or Estimated ☒
 B. Pump column diameter: 1 1/4 inches. C. Length of pump column: 160 feet.
 D. Pumping equipment installed: (month) 10 / (day) 06 / 1999 E. Brand/Type: SUB
 F. Pump installed by: Contractor ☒ Owner ☐ Pump Installer ☐ License No. 39261

STATE OF NEBRASKA
DEPARTMENT OF WATER RESOURCES
WATER WELL REGISTRATION

FOR DEPARTMENT USE ONLY

Registration Date 2-1-99 Sequence No. 116540 Registration No. G-99271
Owner Code No. 52757 Receipt No. 100083 Lower Plate South NRD

1. Well Owner LAURA BRANDT TRUST Telephone Number (402) 483-8122
Address C/O UNION BANK TRUST
City P.O. Box 82535 State NE Zip Code 68501
LINCOLN NE 68501

2. Drilling Firm HOLLY DRILLING CO. Telephone Number (402) 446-3871
Address Rt 1 Box 144A Contractor's License No. 39261
City DORCHESTER State NE Zip Code 68343

3. Permit Number(s) NA

4. Purpose of well (indicate one): ☐ Dewatering (over 90 days) ☒ Domestic ☐ Geothermal ☐ Ground Heat Exchanger
☐ Ground Water Source Heat Pump ☐ Industrial ☐ Injection ☐ Irrigation ☐ Livestock ☐ Monitoring
☐ Observation ☐ Public Water Supply (with spacing (46-638)) ☐ Public Water Supply (without spacing) ☐ Recovery ☐ Aquaculture
☐ Other _____
(Indicate use)

5. Replacement and abandoned well information.
A. Is this well a replacement well? ☒ Yes ☐ No B. Registration number of abandoned well: _____
C. Replacement well is _____ feet from abandoned well. D. Abandoned well last operated _____, 19____
E. Original well pump column size: _____ inches. F. Completion of original well abandonment on _____, 19____
G. Location of water use of abandoned well: _____

6. A. Well location: NE 1/4 of the NE 1/4 of Section 31, Township 9 North, Range 6 East, LANCASTER County.
B. The well is 1440 feet from the (North or South) section line and 100 feet from the (East or West) section line.
(Circle one) (Circle one)
C. Street address or block, lot and subdivision, if applicable: _____
D. Location of water use, if applicable (give legal descriptions): _____
E. If for irrigation, the land to be irrigated is _____ acres.
F. Well reference letter(s), if applicable: _____

7. Pump Information.
Is pump installed at this time? ☒ Yes ☐ No
If yes, complete items A through F.
If no, complete items A and D with estimated information for those wells in which pump will be installed.
A. Actual pumping rate, if applicable: 15 gallons per minute. Measured ☐ or Estimated ☒
B. Pump column diameter: 4 inches. C. Length of pump column: 165 feet.
D. Pumping equipment installed: 10-22, 19 98. E. Brand/Type: Webb Submersible 141
F. Pump installed by: Contractor ☐ Owner ☐ Pump Installer ☒ License No. 29147



May 25, 2006

LYLE L. LOTH, P.E./L.S.

Mr. Marvin Krout
Director of Planning
Lincoln City- Lancaster County Planning Department
555 South 10th Street
Lincoln, NE 68508

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

RE: ROKEBY ACRES PRELIMINARY PLAT APPLICATION
S.W. 40th Street & Rokeby Road

Dear Mr. Krout,

On behalf of Noel Parrott, we submit the above referenced application for your review. Rokeby Acres is a proposed Preliminary Plat on approximately 30 acres. We are showing 6 single family acreage lots, containing a minimum of 4.27 acres. They will each have private wells and individual septic systems. The private roadway will be constructed to meet Lancaster County design standards.

A County Change of Zone application has already been completed for the proposed site and has been assigned the designation "County Change of Zone No. 04053" and is from AG to AGR.

We are requesting waivers to the Land Subdivision Ordinance to waive sidewalks, street trees, street lighting, landscape screening and block length, as each lot is larger than 1 acre and this project will not be annexed into the City of Lincoln at this time.

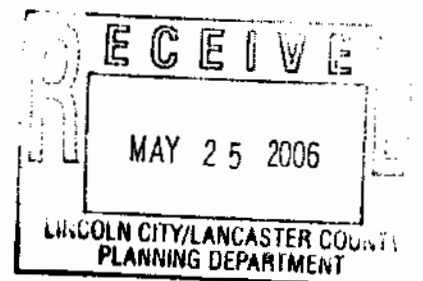
Please contact me if you have any further questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kyle L. Loth'.

Kyle L. Loth

Enclosures: 24 Copies of Sheets 1 of 3
8 Copies of Sheets 2 & 3 of 3
County Application for a Preliminary Plat
Application Fee of \$900.00
Certificate of Ownership
3 Copies of the Preliminary Soils Analysis
2 Copies of Culvert Analysis
8-1/2" x 11" Reduction of Site Plan





June 2, 2006

Mr. Marvin Krout
Director of Planning
Lincoln City- Lancaster County Planning Department
555 South 10th Street
Lincoln, NE 68508

LYLE L. LOTH, P.E./L.S.

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500

Fax (402) 421-7096

Email: lyle@espeng.com

RE: ROKEBY ACRES PRELIMINARY PLAT & SPECIAL PERMIT APPLICATION
S.W. 40th Street & Rokeby Road

Dear Mr. Krout,

On behalf of Noel Parrott, we are submitting the above referenced applications for your review. Rokeby Acres is a proposed Preliminary Plat on approximately 30 acres. We are showing 6 single family acreage lots, containing a minimum of 3.77 acres. Each lot will each have a private well and individual septic system. We are including a letter/report from Holly Well Drilling indicating an adequate water supply for this project, which serves as our water report. The private roadway will be constructed to meet Lancaster County design standards.

We are also requesting a Special Permit due to the property being located within 600 feet from the property line of public lake property.

A County Change of Zone application has already been completed for the proposed site and has been assigned the designation "County Change of Zone No. 04053" and is from AG to AGR.

We are requesting waivers to the Land Subdivision Ordinance to waive sidewalks, street trees, street lighting, landscape screening and block length, as each lot is larger than 1 acre and this project will not be annexed into the City of Lincoln at this time.

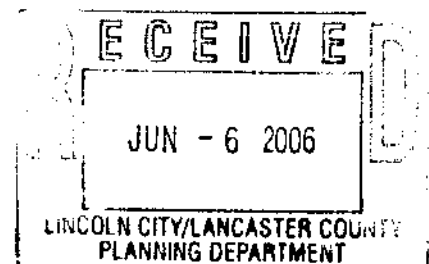
Please contact me if you have any further questions.

E-S-P
Engineering-Surveying-Planning



Lyle L. Loth

Enclosures: 24 Copies of Sheets 1 of 3
8 Copies of Sheets 2 & 3 of 3
County Preliminary Plat Application
Preliminary Plat Application Fee of \$900.00
County Special Permit Application
Special Permit Application Fee of \$740.00
Health Department Review Fee of \$315.00
Certificate of Ownership
3 Copies of the Preliminary Soils Analysis
2 Copies of Culvert Analysis
Holly Well Drilling Water Report
8-1/2" x 11" Reduction of Site Plan



Lancaster

County

Engineering

Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY- LARRY V. WORRELL
COUNTY SURVEYOR

DATE: June 12, 2006

TO: Mike Dekalb
Planning Department

FROM: Larry V. Worrell
County Surveyor

Larry V. Worrell

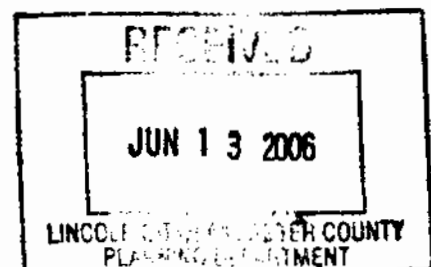
SUBJECT: ROKEBY ACRES
SP06038 SW 40TH STREET & WEST ROKEBY ROAD

In review of this application, this office would first recommend denial of this request. This application is for 30 acres of land. Development of a small portion of land does not provide for continuity of future development of the adjoining parcels of land. Also this type of development shall be adjacent to an existing paved road.

If it is desired to approve the application then this office would have the following comments:

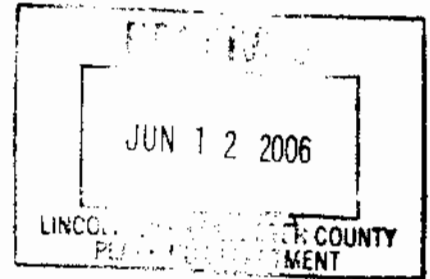
- 1) Developer shall install 1-Stop sign, 2- Street ID signs, and 1- No Outlet sign.
- 2) Developer shall install erosion control and seeding of all disturbed areas.
- 3) *General note no. 11* should be revised to allow access to West Rokeby Road from SW 39th Street.
- 4) References to Rokeby Road should be changed to West Rokeby Road.

LW/DP/pb
Barbi/SUBDIV.WK/Rokeby Acres





www.lincolnairport.com



June 9, 2006

Mr. Mike DeKalb, Project Planner
City-County Planning
555 So. 10th
Lincoln, NE 68508

Subject: Rokeby Acres
Special Permit # SP06038
Preliminary Plat # PP06008

Mr. DeKalb:

We have reviewed the special permit/preliminary plat request and it appears this development is outside both the Airport Environs Noise District and the zoned areas defined on the Lincoln Airport Zoning Map.

Since the project is outside of both of those areas, we have no comment.

If you have any further questions, please advise.

Sincerely,

AIRPORT AUTHORITY



Jon L. Large, P.E.
Deputy Director of Engineering

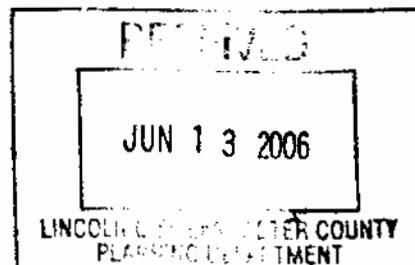
JLL/lb

cc: William Austin, Legal Counsel



AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090



June 12, 2006

Mike Dekalb, Project Manager
555 S. 10th ST. #213
Lincoln, NE 68508

RE: Rokeby Acres

Dear Mike,

I have reviewed the subject plat and see easements in place as we would hope. We have no further issues with the plat.

As always, We appreciate your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Liesveld".

Bruce Liesveld
Construction Supervisor

Status of Review: Approved

06/17/2006 8:43:40 AM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Mike DeKalb DATE: June 17, 2006

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Rokeby Acres

EH Administration SP #06038 PP #06008

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

The developer has adequately addressed on-site wastewater treatment system issues in the general notes of the site plan. Lagoons will be installed if percolation test results do not permit sub surface fields. The area consists of Wymore soils. Wymore soil may or may not yield an acceptable percolation rate.

The water report indicates an adequate supply of potable water is available.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Status of Review: Active

Reviewed By Natural Resources District

Any

Comments:

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:



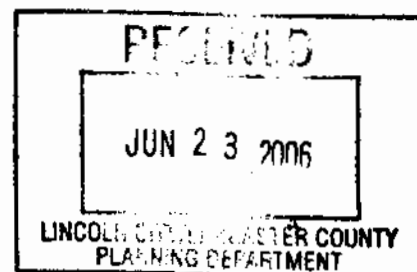
Nebraska Game and Parks Commission

2200 N. 33rd St. / P.O. Box 30370 / Lincoln, NE 68503-0370

Phone: 402-471-0641 / Fax: 402-471-5528 / www.outdoornebraska.org

June 21, 2006

Mike Dekalb
Lincoln/Lancaster County Planning
555 S. 10th Street #213
Lincoln, NE 68508



RE: Preliminary Plat and Special Permit Application, Rokeby Acres, Southeast corner of SW40th and Rokeby Road (near Yankee Hill Wildlife Management Area)

Dear Mr. Dekalb:

Nebraska Game and Parks Commission (NGPC) staff members have reviewed the information for the proposal identified above. The project involves a request for a preliminary plat for Rokeby Acres, and a special permit for dwellings within 1,320 feet of a publicly owned lake.

Yankee Hill Wildlife Management Area (WMA) is a 938-acre public use area that is open to camping, fishing, and hunting. NGPC believes it is necessary to require new developments to remain at least 200 yards back from public property where hunting is allowed. Nebraska law states, "It is unlawful to hunt, take, or trap any wild mammal or wild bird within a two-hundred yard radius of an inhabited dwelling or livestock feedlot". Encroachment of residential housing next to a WMA causes safety concerns and the time to address this is before the development occurs.

The county zoning regulations for AGR zoning state that a building or premises shall be permitted to be used for the purpose of single-family dwellings located more than 1,320 feet (1/4 mile) from the property line of a publicly owned lake property over 30 acres in size. An option is available, which is being requested at this time, to obtain a special permit, would allow dwellings within 1,320 feet of the property line of a publicly owned lake property. However, this special permit would still include the condition that all dwellings, occupied buildings and livestock feedlots, shall be located a minimum of 600 feet (200 yards) from the property line of a publicly owned lake to protect from noise and gunfire.

In a previous letter dated September 7, 2004, we recommended denial of the change of zone on this property to protect the public uses of the WMA. We are currently recommending denial of the special permit in an effort to further protect the uses of the WMA. However, if this special permit is allowed for dwellings within 1,320 feet of a publicly owned lake on this property, we recommend that the special permit conditions be followed, as written in the county zoning regulations for AGR zoning, which includes the condition requiring all dwellings, occupied buildings, and livestock feedlots be located a minimum of 600 feet (200 yards) from the property line of the public lake property. Based on the preliminary plat drawing, the 200 yard buffer line

would affect a portion of Lot 1 of the three lots located between SW 39th and SW 40th Street. It seems that if a dwelling and any occupied buildings could be placed in the portion of Lot 1 that is situated outside of the 200 yard buffer line, the special condition could be maintained.

Thank you for the opportunity to review this proposal. If you have any questions, please contact me at (402) 471-5423.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carey Grell".

Carey Grell
Environmental Analyst
Realty and Environmental Services Division

cc: Pat Molini, NGPC
Jeff Hoffman, NGPC